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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSE CHUNG LUO, Individually and on Behalf
of All Others Similarly Situated,
Plaintiffs,
v.
SPECTRUM PHARMACEUTICALS, INC.,
JOSEPH W. TURGEON, KURT A.
GUSTAFSON, FRANCOIS J. LEBEL, M.D.,
and THOMAS J. RIGA,
Defendants.

CASE NO.: 2:21-cv-01612-CDS-BNW

**STIPULATION AND
[PROPOSED] ORDER
REGARDING RESPONSE TO
AMENDED CONSOLIDATED
CLASS ACTION COMPLAINT**

Plaintiff International Trading Group, Inc. ("ITG") and Defendants
Spectrum Pharmaceuticals, Inc. ("Spectrum"), Joseph W. Turgeon, Kurt A. Gustafson,
Francois J. Lebel, M.D., and Thomas J. Riga (collectively, "Defendants," and together with
Plaintiff, the "Parties"), by and through their undersigned counsel, hereby stipulate and agree as
follows and jointly request that the Court enter the below Order approving this Stipulation:

STIPULATION AND [PROPOSED] ORDER

1 WHEREAS, in its October 4, 2022 Minute Order, the Court requested that the Parties'
2 previously submitted Stipulation and Proposed Scheduling Order addressing Defendants'
3 obligation to respond and related briefing on any motion to dismiss be bifurcated into separate
4 applications and additional information be furnished in support of the requested scheduling relief
5 (and a separate stipulation and proposed order for related briefing will be submitted to the
6 District Judge for approval);

7 WHEREAS, the Class Action Complaint for Violations of the Federal Securities Laws
8 ("CAC") was filed by Plaintiff Jose Chung Luo in this action on August 31, 2021;

9 WHEREAS, on March 2, 2022, counsel for Luo and Defendants submitted a Stipulation
10 and Proposed Order Staying the Deadline to Answer the Complaint pending the outcome of the
11 pending Lead Plaintiff motions. As part of that Stipulation and Proposed Order, counsel for Luo
12 and Defendants agreed that, upon appointment, the Lead Plaintiff selected by the Court would
13 have 60 days to file an amended complaint and in turn, Defendants would have a comparable
14 60 days to answer or otherwise respond to the Complaint, in part because it was anticipated that
15 the amended complaint would substantially differ from the Luo complaint.

16 WHEREAS, on March 2, 2022 the Stipulation and Proposed Order was granted in part by
17 this Court staying the obligation of Defendants to answer and permitting the eventual
18 Lead Plaintiff 60 days to file an amended complaint after appointment;

19 WHEREAS, after briefing by competing applicants, the Court appointed
20 ITG Lead Plaintiff in its order dated July 28, 2022;

21 WHEREAS, consistent with the March 2, 2022 Stipulation and Order entered by the
22 Court, Lead Plaintiff ITG filed an Amended Consolidated Class Action Complaint ("ACCAC")
23 60 days later on September 26, 2022. As anticipated, the ACCAC differs substantially from the
24 Luo complaint. Among other differences, the ACCAC: (1) is brought by a new plaintiff, ITG;
25 (2) the ACCAC is 52 pages, more than twice that of the Luo complaint; (3) the Luo complaint's
26 allegations focused solely on Spectrum's drug candidate Rolontis, while the ACCAC has added
27 allegations concerning an entirely different drug candidate, Pozotinib; (4) the ACCAC posits a
28 different class period than the Luo complaint; and (5) the ACCAC has added an individual

STIPULATION AND [PROPOSED] ORDER

defendant, Spectrum Chief Executive Officer Thomas J. Riga, who was not named in the Luo complaint;

WHEREAS, the Parties have met and conferred, and agree that setting the response date of Defendants to the ACCAC on November 30, 2022 is appropriate for the foregoing reasons and consistent with the schedule previously agreed upon by counsel..

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT: Defendants will answer or otherwise respond to the ACCAC on November 30, 2022.

DATED: October 7, 2022.

CAMPBELL & WILLIAMS

/s/ J. Colby Williams

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Local Counsel for Lead Plaintiff

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Counsel for All Defendants

ORDER

IT IS SO ORDERED that Defendants will answer or otherwise respond to the ACCAC on November 30, 2022.



UNITED STATES MAGISTRATE JUDGE
HON. BRENDA WEKSLER

DATED: October 11, 2022

CASE NO.: 2:21-cv-01612-CDS-BNW

STIPULATION AND [PROPOSED] ORDER